

Chapter 13

H.B. No. 1448

AN ACT

relating to providing road district powers to the Montgomery County Municipal Utility District No. 131; providing authority to issue bonds.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7967 to read as follows:

CHAPTER 7967. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT

NO. 131

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7967.001. DEFINITION. In this chapter, "district" means the Montgomery County Municipal Utility District No. 131.

Sec. 7967.002. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) The district is created to serve a public purpose and benefit.

(b) The district is created to accomplish the purposes of:

(1) a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution; and

(2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

SUBCHAPTER B. POWERS AND DUTIES

Sec. 7967.101. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design,

1 acquire, construct, finance, issue bonds for, improve, operate,
2 maintain, and convey to this state, a county, or a municipality for
3 operation and maintenance macadamized, graveled, or paved roads, or
4 improvements, including storm drainage, in aid of those roads.

5 Sec. 7967.102. ROAD STANDARDS AND REQUIREMENTS. (a) A road
6 project must meet all applicable construction standards, zoning and
7 subdivision requirements, and regulations of each municipality in
8 whose corporate limits or extraterritorial jurisdiction the road
9 project is located.

10 (b) If a road project is not located in the corporate limits
11 or extraterritorial jurisdiction of a municipality, the road
12 project must meet all applicable construction standards,
13 subdivision requirements, and regulations of each county in which
14 the road project is located.

15 (c) If the state will maintain and operate the road, the
16 Texas Transportation Commission must approve the plans and
17 specifications of the road project.

18 SUBCHAPTER C. BONDS

19 Sec. 7967.201. BONDS FOR ROAD PROJECTS. At the time of
20 issuance, the total principal amount of bonds or other obligations
21 issued or incurred to finance road projects and payable from ad
22 valorem taxes may not exceed one-fourth of the assessed value of the
23 real property in the district.

24 SECTION 2. (a) The legal notice of the intention to
25 introduce this Act, setting forth the general substance of this
26 Act, has been published as provided by law, and the notice and a
27 copy of this Act have been furnished to all persons, agencies,

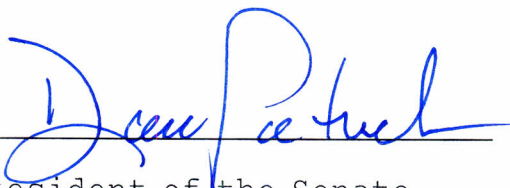
1 officials, or entities to which they are required to be furnished
2 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
3 Government Code.

4 (b) The governor, one of the required recipients, has
5 submitted the notice and Act to the Texas Commission on
6 Environmental Quality.

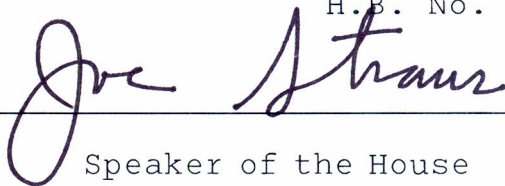
7 (c) The Texas Commission on Environmental Quality has filed
8 its recommendations relating to this Act with the governor, the
9 lieutenant governor, and the speaker of the house of
10 representatives within the required time.

11 (d) All requirements of the constitution and laws of this
12 state and the rules and procedures of the legislature with respect
13 to the notice, introduction, and passage of this Act are fulfilled
14 and accomplished.

15 SECTION 3. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2017.

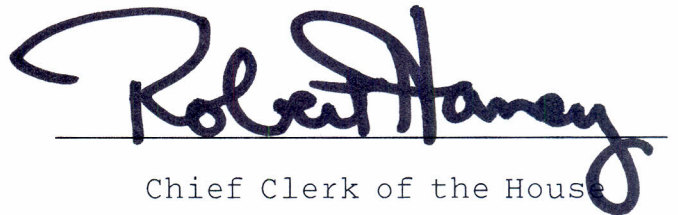


President of the Senate



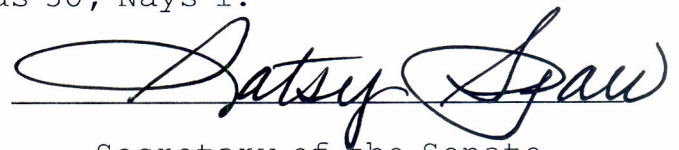
Speaker of the House

I certify that H.B. No. 1448 was passed by the House on April 27, 2017, by the following vote: Yeas 142, Nays 2, 3 present, not voting.



Chief Clerk of the House

I certify that H.B. No. 1448 was passed by the Senate on May 4, 2017, by the following vote: Yeas 30, Nays 1.



Secretary of the Senate

APPROVED: _____


Date

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE

4 PM O'CLOCK

MAY 18 2017



Secretary of State

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 2, 2017

TO: Honorable Lois W. Kolkhorst, Chair, Senate Committee on Administration

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1448 by Bell (Relating to providing road district powers to the Montgomery County Municipal Utility District No. 131; providing authority to issue bonds.), **As Engrossed**

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|---|
| No fiscal implication to the State is anticipated. |
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The bill would amend the Special District Local Laws Code adding the Montgomery County Municipal Utility District No. 131. The district would have authority for road projects including the issuing of bonds.

The bill would take effect immediately if it receives a two-thirds vote in each house; otherwise, it would take effect September 1, 2017.

Local Government Impact

According to Montgomery County, no fiscal impact is anticipated from the provisions of the bill.

Source Agencies:

LBB Staff: UP, SD, JGA, GG, BM

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 21, 2017

TO: Honorable Jim Murphy, Chair, House Committee on Special Purpose Districts

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1448 by Bell (Relating to providing road district powers to the Montgomery County Municipal Utility District No. 131; providing authority to issue bonds.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would amend the Special District Local Laws Code adding the Montgomery County Municipal Utility District No. 131. The district would have authority for road projects including the issuing of bonds.

The bill would take effect immediately if it receives a two-thirds vote in each house; otherwise, it would take effect September 1, 2017.

Local Government Impact

According to Montgomery County, no fiscal impact is anticipated from the provisions of the bill.

Source Agencies:

LBB Staff: UP, JGA, GG, BM

LEGISLATIVE BUDGET BOARD
Austin, Texas

WATER DEVELOPMENT POLICY IMPACT STATEMENT

85TH LEGISLATIVE REGULAR SESSION

March 22, 2017

TO: Honorable Jim Murphy, Chair, House Committee on Special Purpose Districts

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1448 by Bell (Relating to providing road district powers to the Montgomery County Municipal Utility District No. 131; providing authority to issue bonds.), **As Introduced**

The Legislative Budget Board, in cooperation with the Texas Water Development Board (TWDB) and the Texas Commission on Environmental Quality (TCEQ) has determined that:

No Water Development Policy Impact Statement will be prepared for this bill under the provisions of Texas Constitution, Article 16, Section 59(d) as this bill does not create a conservation and reclamation district.

Source Agencies: 582 Commission on Environmental Quality, 580 Water Development Board

LBB Staff: UP, SZ

LETTER OF TRANSMITTAL
HOUSE OF REPRESENTATIVES
STATE OF TEXAS

HB 1448

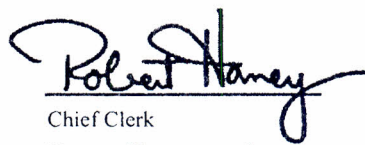
Bill Number

TO: The Honorable Governor of Texas
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Commission on Environmental Quality copies of a bill relating to a conservation and reclamation district and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Commission on Environmental Quality, under Section 59(d), Article XVI, Constitution of the State of Texas.

2/15/2017

Date transmitted to
Governor's Office



Chief Clerk
House of Representatives

TO: Texas Commission on Environmental Quality
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of a bill relating to conservation and reclamation district and a copy of the notice of intention to introduce the bill.

February 22, 2017

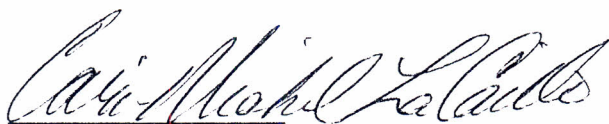
Date transmitted to
Texas Commission on Environmental Quality



Governor

TO: The Honorable Speaker of the House
The Honorable President of the Senate
The Honorable Governor of Texas
SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are recommendations of the Texas Commission on Environmental Quality in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.



Texas Commission on Environmental Quality



85R HB 01448

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 21, 2017

The Honorable Joe Straus
Texas House of Representatives
Capitol Station
PO Box 2910
Austin, Texas 78768-2910

Re: Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution

House Bill (HB) 1448, as Filed by Representative Cecil Bell - Relating to providing road district powers to the Montgomery County Municipal Utility District No. 131; providing authority to issue bonds.

Dear Speaker Straus:

The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

This bill amends the Special District Local Laws Code by adding Chapter 7967 relating to the Montgomery County Municipal Utility District No. 131 (District); this bill grants the District road powers and; and the bill specifies that at the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of real property in the District.

Sincerely,

A handwritten signature in cursive script that reads "Cari-Michel LaCaille".

Cari-Michel LaCaille, Director
Water Supply Division

cc: Honorable Jim Murphy, Chairman, House Special Purpose Districts Committee
Representative Cecil Bell, Texas House of Representatives

**PUBLISHER'S AFFIDAVIT
STATE OF TEXAS
COUNTY OF MONTGOMERY**

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MONTE WEST WHO BEING BY ME DULY SWORN, DEPOSES AND SAYS THAT HE IS AN AGENT TO THE PUBLISHER OF THE MONTGOMERY COUNTY NEWS, THAT SAID NEWSPAPER IS REGULARLY PUBLISHED IN MONTGOMERY COUNTY, TEXAS, AND GENERALLY CIRCULATED IN MONTGOMERY COUNTY, TEXAS; AND THAT THE NOTICE, A COPY OF WHICH IS HERETO ATTACHED, WAS PUBLISHED IN SAID NEWSPAPER ON THE FOLLOWING DAYS:

28th DAY(S) OF December, 2016.

Case/Cause# LEGAL NOTICE FOR M.C. MUD #131

Monte West
PUBLISHER/PUBLISHER'S REPRESENTATIVE, MONTE WEST



NOTARY:

MY COMMISSION EXPIRES: 01-02-2019 AFFIX NOTARY SEAL ABOVE:

SWORN AND SUBSCRIBED TO ME ON THIS THE 28th DAY OF December, 2016, TO CERTIFY WHICH WITNESS MY HAND AND SEAL OF OFFICE.

Merrily Thompson MERRILY THOMPSON
NOTARY PUBLIC SIGNATURE IN AND FOR THE STATE OF TEXAS PRINTED OR TYPED NAME OF NOTARY PUBLIC